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APPLICATION NO.	FILING DATE	FIRST-NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/387,796	09/01/1999	CATHERINE CHRISTENSEN	ST9-99-084	3026

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LACASSE & ASSOCIATES, LLC
1725 DUKE STREET
SUITE 650
ALEXANDRIA, VA 22314

EXAMINER

NGUYEN, THOMAS T

ART UNIT PAPER NUMBER

2174

DATE MAILED: 07/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/387,796

Applicant(s)
Christensen et al.

Examiner
THOMAS T. NGUYEN

Art Unit
2174



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 16, 2002.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 5-10, 12-16, and 18-22 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5-10, 12-16, and 18-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other: _____

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FINAL ACTION

Double Patenting

Claims 1-2,5-10,12-16,18-22 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1,5-7,9-13,15-24,28-29,31-32,34 of copending Application No. 09-387,795 because the examiner has carefully considered each of the independent /dependent claims with a small certain notable but not patentably distinct differences. This indeed conflicts with each of pending claims, for example while all the independent claims in this application are seek broader its scope by discloses general subjects matter. For instance, comparing claim 1 (796) “associating an icon with related graphical objects ,said icon having a specified color scheme” with claim 1 (795) “associating an icon with multiple, related window windows , said icon is a watermark”. Thus, *it would have been obvious to one of ordinary skill in the relevant art at the time of invention was made to use the specified color scheme (very light color) to applied into the icon and transformed the icon into the watermark for displayed in the related graphical windows (graphical objects) because watermark is based on the specified color scheme and this would utilized the window space effectively without obscuring the displayed information, and enhance user operating in GUI environment.*

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

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Claim Rejections - 35 USC § 102

*Claims 1-2,5-10,12-16,18-22 are rejected under 35 U.S.C. 102(e) as anticipated by Medl
US.6,184,881*

As per claim 1: Medl discloses a computer-based method of visually delineating a relationship between related graphical objects in a graphical user interface, including:

- associating at least one icon with at least two diverse, but related graphical objects, and displaying the icon having a specified color scheme within the displayed graphical object; and
- the displayed graphical objects are recognizable as related by the persistence of the icon with the specified color scheme in displayed graphical objects (abstract, claim 1).

Regarding claim 2, recite in claim 1, Medl specifically discloses the icon is displayed within a visible portion of said displayed graphical object (abstract).

Regarding claim 5, recite in claim 1, Medl discloses the persistence of the icon with the specified color scheme provides user assistance when traversing a series of graphical templates(title, abstract).

Regarding claim 6, recite in claim 1, Medl discloses the related graphical objects comprise any of: graphical windows, toolbars, rulers, wizards, titlebars, tables and icons (abstract, col.4 lines 1-15).

Claims 7-10,12-16,18-22 are containing similar subject matter within scope as of claims 1-2,5-6; and is therefore rejected under similar rationale.

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Response to Applicant Remarks

Applicant's arguments with respect to claims 1-2, 5-10, 12-16, and 18-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MEPE 706.07(a). Any inquiry concerning this communication or earlier communications should be directed to the Patent Examiner **Thomas T. Nguyen**, whose telephone number is (703) 308-7240, Draft-Fax number (703) 746-5636 Monday to Friday 8:30 - 5:00 ET or *Kristine Kincaid* Supervisory Patent Examiner (703) 308-0640.

Other inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900 and **Official-Fax** number (703) 746-7239 for **After Final** (703) 746-7238. Please label properly on the cover page of facsimile communications.

Thomas T. Nguyen

July 01, 2002



Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100